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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

JERRY DAWSON,)	Cause No.: CV-08-05-BLG-RFC-CSO
)	
Plaintiff,)	
)	<u>NOTICE OF REMOVAL</u>
vs.)	
)	
THE HOME DEPOT USA, INC. and)	
SEDGWICK CLAIMS MANAGEMENT)	
SERVICES, INC.,)	
)	
Defendants.)	

Defendants The Home Depot USA, Inc. and Sedgwick Claims Management Services, Inc. are removing Plaintiff Jerry Dawson's action against them in the Thirteenth Judicial District Court of Yellowstone County, DV 07-1451, to the United States District Court for the District of Montana. Copies of all documents filed in the state court action are attached. The grounds for removal are:

1. Defendants have received a request to accept service of the attached complaint.

2. Plaintiff's action in state court can be removed under 28 U.S.C. § 1441 because it is a civil action between citizens of different states, and the amount in controversy exceeds \$75,000, excluding interest and costs. 28 U.S.C. § 1332.

3. There is complete diversity under 28 U.S.C. § 1332(a)(1), because Plaintiff Jerry Dawson is a Montana resident, *see* Complaint ¶ 1 (Ex. A), and Home Depot and Sedgwick Claims Management Services, Inc. are corporations with headquarters in a state other than Montana, *see* Complaint ¶ 2.

4. In the state action, Plaintiff filed a statement of damages that significantly exceeds the \$75,000 statutory threshold required for diversity jurisdiction. *See* Statement of Damages, at 1.

5. Home Depot has given written notice of removal to Plaintiff's counsel and filed a notice of filing the removal notice with the Yellowstone County Clerk of Court.

Dated this 15th day of January, 2008.

CROWLEY, HAUGHEY, HANSON,
TOOLE & DIETRICH P.L.L.P.

By /s/ Christopher C. Voigt
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